

U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:03-cv-06915-PKC

Dworkin v. One Group Tech., et al
Assigned to: Judge P. Kevin Castel
Demand: \$0
Cause: 15:78m(a) Securities Exchange Act

Date Filed: 09/09/2003
Jury Demand: Plaintiff
Nature of Suit: 850
Securities/Commodities
Jurisdiction: Federal Question

Plaintiff

Allan Dworkin
*individually and on behalf of all other
similarly situated*

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Defendant

One Group Technology Fund

Defendant

One Group Health Sciences Fund

Defendant

**One Group Diversified International
Fund**

Defendant

**One Group International Equity Index
Fund**

Defendant

One Group Small Cap Growth Fund

Defendant

One Group Small Cap Value Fund

Defendant

**One Group Market Expansion Index
Fund**

Defendant

One Group Mid Cap Growth Fund

Defendant

One Group Mid Cap Value Fund

Defendant

One Group Diversified Mid Cap Fund

Defendant

One Group Large Cap

Defendant

One Group Large Cap Value Fund

Defendant

One Group Diversified Equity FUND p

Defendant

One Group Equity FUND

Defendant

One Group Equity Income Fund

Defendant

Ine Group Balanced Fund

Defendant

One Group Market Neutral Fund

Defendant

One Group Investor Growth Fund

Defendant

**One Group Investor Growth & Income
Fund**

Defendant

One Group Investor Balanced Fund

Defendant

**One Group Investor Conservative
Growth Fund**

Defendant

One Group Tax-Free Bond Fund

Defendant

One Group Arizona Municipal Bond Fund

Defendant

One Group Kentucky Municipal Bond Fund

Defendant

One Group Louisiana Municipal Bond Fund

Defendant

One Group Michigan Municipal Bond Fund

Defendant

One Group Ohio Municipal Bond Fund

Defendant

One Group West Virginia Municipal Bond Fund

Defendant

One Group Municipal Income Fund

Defendant

One Group Intermediate Tax-Free Bond Fund

Defendant

One Group Short-Term Municipal Bond Fund

Defendant

One Group High Yield Bond Fund

Defendant

One Group Income Bond Fund

Defendant

One Group Bond Fund

Defendant

One Group Government Bond Fund

Defendant

**One Group Mortgage Backed
Securities Fund**

Defendant

One Group Intermediate Bond Fund

Defendant

One Group Treasury & Agency FUND

Defendant

One Group Short-Term Bond Fund

Defendant

**One Group Ultra Short-Term Bond
Fund**

Defendant

**One Group Ohio Municipal Money
Market FUND**

Defendant

**One Group Michigan Municipal Money
Market Fund**

Defendant

One Group Municipal Money Market

Defendant

Oen Group Prime Money Market Fund

Defendant

**One Group U.S. Government Securities
Money Market Fund**

Defendant

**One Group U.S. Treasury Securities
Money Market Fund**

Collectively known as "One Group Fund"

Defendant

Bank One Corporation

Defendant

Banc One Investment Advisors

Defendant

One Group Mutual Funds

Defendant

Edward J. Stern

Defendant

Canary Capital Partners, L.L.C.

Defendant

**Canary Investment Management,
L.L.C.**

Defendant

Canary Capital Partners, Ltd.

Defendant

1-100 John Does

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Date Filed	#	Docket Text
03/17/2003	18	AFFIDAVIT OF SERVICE of Summons and Complaint. Banc One Investment Advisors served on 10/15/2003, answer due 11/4/2003. Service was accepted by William Miller. Document filed by Allan Dworkin. (kw,) (Entered: 03/23/2004)
09/09/2003	1	COMPLAINT filed. Summons issued and Notice pursuant to 28 U.S.C. 636(c). FILING FEE \$ 150.00 RECEIPT # 484358. (gf) (Entered: 09/11/2003)
09/09/2003		Magistrate Judge Gabriel W. Gorenstein is so designated. (gf) (Entered: 09/11/2003)
11/04/2003	2	NOTICE of filing of motion to consolidate, appointment of lead plaintiff and approval of lead counsel by Allan Dworkin . (dle) (Entered: 11/06/2003)
11/04/2003	3	NOTICE OF MOTION by Robert Wiley, for an Order consolidating the related actions [03cv6915, 03cv6970, 03cv8364, 03cv8593] ; appointing movant Robert Wily as lead plaintiff(s) in this action ; Approving Movant's selection of the law firm of Cohen, Milstein, Hausfeld & Toll, P.L.L.C. as Lead Counsel . Return Date not indicated. Proposed Order is attached. (tp) (Entered: 11/06/2003)
11/04/2003	4	MEMORANDUM OF LAW by Robert Wiley in support of [3-1] motion for an Order consolidating the related actions [03cv6915, 03cv6970, 03cv8364, 03cv8593], [3-2] motion appointing movant Robert Wily as lead plaintiff(s) in this action, [3-3] motion Approving Movant's selection of the law firm of Cohen, Milstein, Hausfeld & Toll, P.L.L.C. as Lead Counsel. (tp) (Entered: 11/06/2003)
11/04/2003	5	DECLARATION of Catherine A. Torell by Robert Wiley in support Re: [3-1] motion for an Order consolidating the related actions [03cv6915, 03cv6970, 03cv8364, 03cv8593], [3-2] motion appointing movant Robert Wily as lead plaintiff(s) in this action, [3-3] motion Approving Movant's selection of the law firm of Cohen, Milstein, Hausfeld & Toll, P.L.L.C. as Lead Counsel. (tp) (Entered: 11/06/2003)

11/04/2003	6	NOTICE OF MOTION by (The Malone Lead Plaintiff Group) Russell Malone, Lori T. Briggs, Harry Laffavor, Lourdes Laffavor, Steven Knick, Frances Gajdos, Donald R. Huffines, D. Richard Meyer, Donovan Bates, Thomas Sinnen, Kimberly Rae Henry, Joan Montgomery, James Oostdyk, Tony Mancuso, Anthony V. Cardona, Comfort Aladesaiye, Thomas Cooke, Dorothy Trypuc, Jeff Lubow, James Cunningham for an order consolidating the following cases: 03cv6915, 03cv6970, 03cv6975, 03cv8364 , for an order appointing the Malone Lead Plaintiff Group as lead plaintiffs , and for an order approving the law firm of Schiffrin & Barroway to serve as lead counsel and approving the law firm of Milberg, Weiss, Bershad, Hynes & Lerach to serve as liaison counsel . Return Date not indicated. Proposed order attached. (dle) (Entered: 11/06/2003)
11/04/2003	7	MEMORANDUM OF LAW by Russell Malone, Lori T. Briggs, Harry Laffavor, Lourdes Laffavor, Steven Knick, Frances Gajdos, Donald R. Huffines, D. Richard Meyer, Donovan Bates, Thomas Sinnen, Kimberly Rae Henry, Joan Montgomery, James Oostdyk, Tony Mancuso, Anthony V. Cardona, Comfort Aladesaiye, Thomas Cooke, Dorothy Trypuc, Jeff Lubow, James Cunningham in support of [6-1] motion for an order consolidating the following cases: 03cv6915, 03cv6970, 03cv6975, 03cv8364, [6-2] motion for an order appointing the Malone Lead Plaintiff Group as lead plaintiffs, [6-3] motion for an order approving the law firm of Schiffrin & Barroway to serve as lead counsel and approving the law firm of Milberg, Weiss, Bershad, Hynes & Lerach to serve as liaison counsel . (dle) (Entered: 11/06/2003)
11/04/2003	8	DECLARATION of Darren J. Check by Russell Malone, Lori T. Briggs, Harry Laffavor, Lourdes Laffavor, Steven Knick, Frances Gajdos, Donald R. Huffines, D. Richard Meyer, Donovan Bates, Thomas Sinnen, Kimberly Rae Henry, Joan Montgomery, James Oostdyk, Tony Mancuso, Anthony V. Cardona, Comfort Aladesaiye, Thomas Cooke, Dorothy Trypuc, Jeff Lubow, James Cunningham in support Re: [6-1] motion for an order consolidating the following cases: 03cv6915, 03cv6970, 03cv6975, 03cv8364, [6-2] motion for an order appointing the Malone Lead Plaintiff Group as lead plaintiffs, [6-3] motion for an order approving the law firm of Schiffrin & Barroway to serve as lead counsel and approving the law firm of Milberg, Weiss, Bershad, Hynes & Lerach to serve as liaison counsel . (dle) (Entered: 11/06/2003)
11/04/2003	9	NOTICE OF MOTION by Mark Reilly for an order to consolidate cases 03cv6915 (JSR), 03cv6970, 03cv7751 and 03cv8364 , to appoint movant Mark Reilly to serve as lead plaintiff(s) , to approve movants selection of lead counsel . Proposed order attached. No Return Date indicated. Received in night deposit box on 11/4/03 at 6:15 p.m. (db) (Entered: 11/10/2003)
11/04/2003	10	MEMORANDUM OF LAW by Mark Reilly in support of [9-1] motion for an order to consolidate cases 03cv6915 (JSR), 03cv6970, 03cv7751 and 03cv8364, [9-2] motion to appoint movant Mark Reilly to serve as lead plaintiff(s), [9-3] motion to approve movants selection of lead counsel. Received in night deposit box on 11/4/03 at 6:15 p.m. (db) (Entered: 11/10/2003)
11/04/2003	11	DECLARATION of Joseph R. Seidman by Mark Reilly in support Re: [9-1] motion for an order to consolidate cases 03cv6915 (JSR), 03cv6970, 03cv7751 and 03cv8364, [9-2] motion to appoint movant Mark Reilly to serve as lead plaintiff(s), [9-3] motion to approve movants selection of lead counsel. Received in night

		deposit box on 11/4/03 at 6:15 p.m. (db) (Entered: 11/10/2003)
11/14/2003		Case accepted as related to 1:03cv6760. Notice of assignment to follow. (jjm) (Entered: 11/19/2003)
11/14/2003	12	Notice of Case Reassignment to Judge Kimba M. Wood . Copy of notice and judge's rules mailed to Attorney(s) of record: Joseph R. Seidman Jr., U. Seth Ottensoser, Sandy A. Liebhard, Darren J. Check, Stuart L. Berman, Andrew L. Barroway, Andrei V. Rado, Peter E. Seidman, Steven G. Schulman, Catherine A. Torell, Melvin I. Weiss . (jjm) (Entered: 11/19/2003)
12/12/2003		CASE ACCEPTED AS RELATED TO 03-6760. Notice of Assignment to follow. (gmo,) (Entered: 01/12/2004)
12/12/2003	13	NOTICE OF CASE REASSIGNMENT to Judge P. Kevin Castel. Judge Kimba M. Wood no longer assigned to the case. (gmo,) Modified on 1/14/2004 (gmo,). (Entered: 01/12/2004)
12/12/2003		Mailed notice to the attorney(s) of record. (gmo,) (Entered: 01/12/2004)
12/17/2003		ORDER, I direct the Clerk of Court to docket this Order in this action and each of the related cases listed on Exhibit A and any subsequently filed related cases. The parties are advised that I and/or members of my immediate family own mutual funds which are in the "family of funds" of the following: Fidelity Investments, Citigroup/Salomon Smith Barney, Phoenix Investment Partners, Morgan Stanley Investment Funds, Dreyfus, Nuveen, First Eagle and AIM Investments. In addition, I and/or members of my immediate family own shares in the stocks listed on Exhibit B. Any party having information bearing upon my disqualification under 28 U.S.C. 455 or otherwise shall inform the Court in writing within 14 days of the docketing of this Order. Original Document filed in 03 Civ. 6760, Doc#47. (Signed by Judge P. Kevin Castel on 12/17/03) Copies Mailed By Chambers.(sac,) (Entered: 01/05/2004)
03/02/2004	14	CERTIFIED TRUE COPY OF CONDITIONAL MDL TRANSFER OUT ORDER FROM THE MDL PANEL...transferring this action from the U.S.D.C. (S.D.N.Y) to the United States District Court - District of Maryland. (Signed by Judge MDL Panel on 2/20/4) (laq,) (Entered: 03/03/2004)
03/02/2004		MDL TRANSFER OUT: Mailed certified copy of documents numbered 1-13, docket entries and transfer order along with letter of acknowledgment to the United States District Court - District of Maryland. Mailed via Federal Express AIRBILL # 8371 7624 3553 on 3/3/04. (laq,) (Entered: 03/03/2004)
03/05/2004		Received a letter from the United States District Court - District of Maryland acknowledging receipt of the entire file and assigned Case Number: 04-cv-539 (JFM). (jeh,) (Entered: 03/17/2004)
03/17/2004	15	AFFIDAVIT OF SERVICE of Summons and Complaint. One Group Mutual Funds served on 10/15/2003, answer due 11/4/2003. Service was accepted by William Miller. Document filed by Allan Dworkin. (kw,) (Entered: 03/23/2004)
03/17/2004	16	AFFIDAVIT OF SERVICE of Summons and Complaint. Bank One Corporation served on 10/15/2003, answer due 11/4/2003. Service was accepted by William Miller. Document filed by Allan Dworkin. (kw,) (Entered: 03/23/2004)

03/17/2004

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AFFIDAVIT OF SERVICE of Summons and Complaint. One Group Prime Money Market Fund served on 10/15/2003, answer due 11/4/2003; One Group Arizona Municipal Bond Fund served on 10/15/2003, answer due 11/4/2003; One Group Bond Fund served on 10/15/2003, answer due 11/4/2003; One Group Diversified Equity FUnd p served on 10/15/2003, answer due 11/4/2003; One Group Diversified International Fund served on 10/15/2003, answer due 11/4/2003; One Group Diversified Mid Cap Fund served on 10/15/2003, answer due 11/4/2003; One Group Equity FUnd served on 10/15/2003, answer due 11/4/2003; One Group Equity Income Fund served on 10/15/2003, answer due 11/4/2003; One Group Government Bond Fund served on 10/15/2003, answer due 11/4/2003; One Group Health Sciences Fund served on 10/15/2003, answer due 11/4/2003; One Group High Yield Bond Fund served on 10/15/2003, answer due 11/4/2003; One Group Income Bond Fund served on 10/15/2003, answer due 11/4/2003; One Group Intermediate Bond Fund served on 10/15/2003, answer due 11/4/2003; One Group Intermediate Tax-Free Bond Fund served on 10/15/2003, answer due 11/4/2003; One Group International Equity Index Fund served on 10/15/2003, answer due 11/4/2003; One Group Investor Balanced Fund served on 10/15/2003, answer due 11/4/2003; One Group Investor Conservative Growth Fund served on 10/15/2003, answer due 11/4/2003; One Group Investor Growth & Income Fund served on 10/15/2003, answer due 11/4/2003; One Group Investor Growth Fund served on 10/15/2003, answer due 11/4/2003; One Group Kentucky Municipal Bond Fund served on 10/15/2003, answer due 11/4/2003; One Group Large Cap served on 10/15/2003, answer due 11/4/2003; One Group Large Cap Value Fund served on 10/15/2003, answer due 11/4/2003; One Group Louisiana Municipal Bond Fund served on 10/15/2003, answer due 11/4/2003; One Group Market Expansion Index Fund served on 10/15/2003, answer due 11/4/2003; One Group Market Neutral Fund served on 10/15/2003, answer due 11/4/2003; One Group Michigan Municipal Bond Fund served on 10/15/2003, answer due 11/4/2003; One Group Michigan Municipal Money Market Fund served on 10/15/2003, answer due 11/4/2003; One Group Mid Cap Growth Fund served on 10/15/2003, answer due 11/4/2003; One Group Mid Cap Value Fund served on 10/15/2003, answer due 11/4/2003; One Group Mortgage Backed Securities Fund served on 10/15/2003, answer due 11/4/2003; One Group Municipal Income Fund served on 10/15/2003, answer due 11/4/2003; One Group Municipal Money Market served on 10/15/2003, answer due 11/4/2003; One Group Ohio Municipal Bond Fund served on 10/15/2003, answer due 11/4/2003; One Group Ohio Municipal Money Market FUnd served on 10/15/2003, answer due 11/4/2003; One Group Short-Term Bond Fund served on 10/15/2003, answer due 11/4/2003; One Group Short-Term Municipal Bond Fund served on 10/15/2003, answer due 11/4/2003; One Group Small Cap Growthg Fund served on 10/15/2003, answer due 11/4/2003; One Group Small Cap Value Fund served on 10/15/2003, answer due 11/4/2003; One Group Tax-Free Bond Fund served on 10/15/2003, answer due 11/4/2003; One Group Technology Fund served on 10/15/2003, answer due 11/4/2003; One Group Treasury & Agency FUnd served on 10/15/2003, answer due 11/4/2003; One Group U.S. Government Securities Money Market Fund served on 10/15/2003, answer due 11/4/2003; One Group U.S. Treasury Securities Money Market Fund served on 10/15/2003, answer due 11/4/2003; One Group Ultra Short-Term Bond Fund served on 10/15/2003, answer due 11/4/2003; One Group West Virginia Municipal Bond Fund served on 10/15/2003, answer due 11/4/2003. Service was accepted by Sabrina Trickett. Document filed by Allan Dworkin. (kw,) (Entered:

		03/23/2004)
03/17/2004	19	AFFIDAVIT OF SERVICE of Summons and Complaint. Allan Dworkin served on 10/15/2003, answer due 11/4/2003. Service was accepted by Ron Bangs. Document filed by Allan Dworkin. (kw,) (Entered: 03/23/2004)
03/17/2004	20	AFFIDAVIT OF SERVICE of Summons and Complaint. Canary Capital Partners, L.L.C. served on 10/15/2003, answer due 11/4/2003. Service was accepted by Ron Bangs. Document filed by Allan Dworkin. (kw,) (Entered: 03/23/2004)
03/17/2004	21	AFFIDAVIT OF SERVICE of Summons and Complaint. Canary Investment Management, L.L.C. served on 10/15/2003, answer due 11/4/2003. Service was accepted by Ron Bangs. Document filed by Allan Dworkin. (kw,) (Entered: 03/23/2004)
03/17/2004	22	AFFIDAVIT OF SERVICE of Summons and Complaint. Canary Capital Partners, Ltd. served on 10/15/2003, answer due 11/4/2003. Service was accepted by Ron Bangs. Document filed by Allan Dworkin. (kw,) (Entered: 03/23/2004)

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